



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Frw

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,884	12/16/2003	Woo Hyun Paik	CIT/K-0124A	5690
34610	7590	02/01/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			NGUYEN, LEE	
		ART UNIT	PAPER NUMBER	2682
DATE MAILED: 02/01/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/735,884	PAIK ET AL.	
	Examiner	Art Unit	
	LEE NGUYEN	2682	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 15 November 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 27,29 and 58-69 is/are pending in the application.

4a) Of the above claim(s) 58-69 is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 27, 29 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

This action is responsive to the communication filed 11/16/2005.

Election/Restrictions

Newly submitted claims 58-69 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: New claims 58-69 reclaim the subject matter that present in group II of original claims 31-57 as none elected invention in the previous action.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 58-69 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube in view of Bierman et al. (US 5,761,279) submitted by Applicant.

Regarding claim 27, Grube teaches a mobile terminal with a caller identifier, (fig. 1, numeral 101) comprising: inherently a caller identifier detecting unit in said mobile terminal which detects a caller identifier from an input data and receives a caller information transmitted along a radio channel if caller identifier corresponds to its own caller identifier (see individual code identifier, col. 3, 17-23); inherently a signal processing unit which processes and outputs the caller information received by the caller identifier detecting unit (see individual identifier code, col. 3, 29); inherently a control unit which controls storage and output of the processed caller information (stored image, col. 3, 23-27); a memory 107 which stores the processed caller information from the signal processing unit under the control of the control unit (individual image data, col. 3, 25); a display unit 106 which displays the caller information output from the signal processing unit under the control of the control unit (image display, col. 3, 32-34). Grube fails to teach transmitting the picture information

Art Unit: 2682

included in the caller ID. However, the art of transmitting picture information in the caller ID information is conventionally well known, as taught by Bierman in column 3, 45-59. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Bierman with Grube in order store the picture image in the system, rather than in the mobile so that more memory spaces can be reserved for the mobile station. The combination of Grube and Bierman teach that the caller information includes picture information transmitted along the radio channel if the caller identifier corresponds to its own caller identifier (it is noted that once combine, the two references as a whole teach that the caller ID and the picture will be received if the called (terminating) terminal is called or paged).

Regarding claim 29, the above combination inherently teaches converting picture into a predetermined size (col. 2, 28-30 of Bierman). The motivation is the same reason as set forth above.

Response to Arguments

Applicant's arguments filed 11/16/2005 have been fully considered but they are not persuasive.

In the remarks, Applicant argues that the communication system of Bierman involves wire-telephone system. Therefore, Bierman does not teach a caller identifier detecting unit in a mobile communication system that receives caller information transmitted along the radio channel.

In response, the examiner respectfully disagrees. Grube inherently teaches said caller ID detecting unit in the mobile communication system as stated above in the rejection of claim 27. Therefore, as a whole, the combination of Grube and Bierman do teach the claimed detecting unit.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone number is 571-272-7854. The examiner can normally be reached on FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DORIS TO can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lee Nguyen
LEE NGUYEN
PRIMARY EXAMINER

1/29/06